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Human rights situations that require the Council's attention

Written statement* submitted by the Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2018]

* Issued as received, in the language(s) of submission only.

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Please recycle

Stop the silent diplomacy on Yemeni Conflict and hold Saudi Arabia accountable for human rights violations!

Four years in to Saudi-led and western and GCC countries backed invasion of Yemen, we are witnessing war crimes, collective punishment, and humanitarian catastrophe on the Yemeni people. Despite the whitewashing United Kingdom of Great Britain and Northern Ireland and United States of America media effort to create a narrative of reform and emancipation regarding Saudi Arabia, the new prince has managed to secure multi-billion arms deals with his western allies that will be used to kill innocent Yemenis' including women and children. Saudi-led coalition's disproportionate or indiscriminate air strikes continue to claim the lives of thousands of Yemenis' with complete impunity.

The coalition airstrikes which have struck civilian infrastructure including health facilities, schools, factories, power facilities, bridges and roads is a clear violation of the Law of the War. More often than not such strikes have been and in many cases they appear to have directly target civilians and, or civilian objects.

As well Saudi imposed full blockage on Yemen's ports is pushing the country to brink of famine. An estimated 17.8 million are food insecure, 16 million lack access to safe water and sanitation, and 16.4 million lack access to adequate healthcare in Yemen, of which women and children are disproportionately worse off. Yemeni children continue to be affected by grave child rights violations committed by the Saudi-led coalition.

> **Every 10 minutes, a child in #Yemen dies of preventable causes, according to UNICEF. Since 2014, the mortality rate for children under five has increased by nearly 20%**

Yemeni children are under attack and suffering - no family, no shelter, no food – in front of the world paying for the ugly petrol-dollar business dealing mentality that has become the norm between Saudi and its allies. This is a violation of the convention on the rights of the child Articles 6, 38, 39, and Optional Protocol on Children in Armed Conflict, Article 4.2.
The international community has failed to take the action needed to end this man-made catastrophe. Millions of Yemeni women, men and children feel abandoned by global leaders who seem to put profit and politics above human lives. The silent diplomacy has failed to halt violation after violation by the Saudi –led coalition.

ICSFT deeply concerned by this man-made catastrophe demands the following measures to be taken immediately by relevant international, regional and national stakeholders including the UN HRC and SC.

- **Saudi-led coalition needs to immediately stop its military invasion, an end to all blockages on access for food, fuel and medical supplies**
- **The international community must stop the silent diplomacy at the expense of innocent Yemeni civilians, and invest in a new, Yemeni led inclusive peace process in which women, youth and diverse civil society meaningfully participate.**
- **ICSFT urges the international community, in particular the UN human Rights Council to establish an international, independent body to carry out comprehensive investigations in Yemen and refer the perpetrators of these violations to International Criminal Court - there is no excuse not to stand for human rights now.**

The time to act is now!

Further to the war crimes in Yemen, Saudi Arabia is undergoing the most ruthless crackdown on political dissent that the country has experienced in decades. Amongst other vile human rights violations, women's rights activists who campaign to lift the ban on driving were handed out prison sentences, and between 2009 and 2015 more than 3,000 allegations of torture were formally recorded. Although the Crown Prince of Saudi Arabia Mohammed bin Salman is busy trying to convince us of the social and economic reforms in Saudi Arabia. The 2014 Terror Law designed to systematically justify torture, suppresses all dissent and imprison human rights defenders has a broad definition of terrorist crimes.

It states the definition of terrorism as "directly or indirectly intended to disturb the public order of the state, or to destabilize the security of society, or the stability of the state, or to expose its national unity to danger, or to suspend the basic law of governance or some of its articles, or to insult the reputation of the state or its standing, or to inflict damage upon one of its public utilities or its natural resources."

The UN's special rapporteur on anti-terrorism, the British QC Ben Emmerson, following his official visit to Saudi Arabia said "Those who peacefully exercise their right to freedom of expression are systematically persecuted in Saudi Arabia, many languish in prison for years. Others have been executed after blatant miscarriages of justice." "A culture

of impunity prevails for public officials who are guilty of acts of torture and other ill-treatment. Peaceful avenues for redress of grievances are foreclosed by the use of repressive measures to silence civil society."

In his report Emmerson further states "Reports that Saudi Arabia is liberalizing are completely wide of the mark, the last two years have seen an unprecedented concentration of executive power in the monarchy across every sphere of public life "

Emmerson further remarked that "it is a matter of shame for the UN that it allowed Saudi onto the UN human rights council (HRC)" in 2016, and warned investors that there was no independent judiciary in the country, making any overseas investment vulnerable to expropriation."

"The judiciary has now been brought entirely under the control of the king, and lacks any semblance of independence from the executive," he said. "Put simply, there is no separation of powers in Saudi Arabia, no freedom of expression, no free press, no effective trade unions and no functioning civil society."

Well documented reports of the use of torture and ill-treatment by law enforcement officials against individuals accused of having committed acts of terrorism and the use of coerced confessions as sole or decisive evidence in their conviction were submitted to the office of the Special rapporteur. The methods used allegedly include electric shocks, sleep deprivation, being held incommunicado for prolonged periods of solitary detention, and beatings to the head, face, jaw, and feet. The report adds "Despite this, the special rapporteur is not aware of a single official prosecuted for committing an act of torture or other ill-treatment. The theoretical protections enshrined in law appear illusory in practice." Emmerson called for the establishment of an independent national security and due process review mechanism to review all crimes allegedly committed by speech or writing. He also called for prompt investigation of all allegations of torture and ill treatment and other serious human rights violations committed under the counter-terrorism and national security framework.

ICSFT echoes the special rapporteur's recommendations and urged the Saudi authorities to free those wrongfully imprisoned for terrorism offences when in fact they had been exercising their right to free speech, or peaceful assembly. We also urge Saudi Arabia to comply with international human rights standards and allow citizens to exercise their freedom of expression and association without any restriction or fear of government reprisal.